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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,329	10/23/2003	Thomas D. Stahl	46675-00005	8235

7590 08/29/2006
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EXAMINER

LEE, Y MY QUACH

ART UNIT	PAPER NUMBER
2875	

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/693,329	STAHL, THOMAS D.	
	Examiner	Art Unit	
	Lee Y Quach	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4,6-8,10,12,13,17,39-45 and 47-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39-45 and 47-53 is/are allowed.
- 6) ☒ Claim(s) 3,4,7,8,10,12 and 13 is/are rejected.
- 7) ☒ Claim(s) 6 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. The indicated allowability of claims 3, 4, 7, 8, 10, 12 and 13 are withdrawn in view of the newly discovered references to Wada et al and Masuda. Therefore, the finality of the rejection of the last office action is withdrawn. Rejections based on the newly cited references follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 3, 12 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Wada et al.

Wada et al. show means (78) for collecting light having a plurality of surfaces (78a, 78b), a plurality of light sources (70, 71) producing output light and positioned to direct the output light toward the means for collecting light, the surfaces directing the output light from the light sources in a direction towards a target area such as an image panel (85) with one of the light sources directing output light through (by means of) a top portion of the means for collecting light, the means for collecting light and the plurality of surfaces include optical coatings (column 15, lines 60 to 61, a dielectric multilayer film coating one on each surface) to create a consistent set of indices of refraction (since each surface is coated by the same coating, the indices of refraction of the coatings on the surfaces are consistent with one another), and a housing (89) for positioning the light sources to direct light toward the means for collecting light.

4. Claims 4, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wada et al.

Wada et al. disclose the invention substantially as claimed including plurality of light emitting diodes (column 17, line 32) with the exception of having the watts and amp as claimed. However, it should be noted that any light emitting diodes is capable of producing 80 lumens at 1 amp and about 1 to 5 watts or 3 watts because the output of the light source is depending on the

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wattage and current which provides no unusual, unobvious and or unexpected result and is therefore not only deemed to all within a purview of an ordinary engineering design technique but also obvious to one skilled in the art to provide the light emitting diode of Wada et al. with lumens at the amp and watts as claimed or other different amps and watts to produce different lumen outputs to accommodate or suit different applications as desired.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wada et al. in view of Masuda.

Wada et al. disclose the invention substantially as claimed with the exception of disclosing the dielectric multilayer film having a silicon dioxide.

Masuda teaches that it is known in the lighting art to use a dielectric multilayer film having a thin film of silicon oxide (column 30, lines 30 to 32) to efficiently reflect light and optimize the reflectivity of light.

It would have been obvious to one skilled in the art that the dielectric multilayer film of Wada et al. can include the thin film of silicon oxide, as shown by Masuda, to optimize the reflectivity of light and the performance of the means for collecting light.


6. Claims 39 to 45 and 47 to 53 are allowed.

7. Claims 6 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service 703-308-2733.

Y. Q.
August 22, 2006


Y Quach Lee
Primary Examiner
Art Unit 2875